

§ 90.653

number of mobile units placed in operation within their construction period.

[63 FR 68970, Dec. 14, 1998]

EDITORIAL NOTE: At 63 FR 10397, Mar. 4, 1999, §90.651 was amended by revising paragraph (c), effective Apr. 5, 1999. However, §90.651, as revised at 63 FR 68970, Dec. 14, 1998, effective Feb. 12, 1999, does not contain paragraph (c), and the revision could not be made. For the convenience of the user, the revised text is set forth as follows:

§ 90.651 Supplemental reports required of licensees authorized under this subpart.

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(c) Licensees of conventional systems must report the number of mobile units placed in operation within twelve months of the date of the grant of their license. Such reports shall be filed within 30 days from that date.

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§ 90.653 Number of systems authorized in a geographical area.

There shall be no limit on the number of systems authorized to operate in any one given area except that imposed by allocation limitations and no person shall have a right to protest any other proposal on grounds other than violation of any inconsistency with the provisions of this subpart.

[47 FR 41032, Sept. 16, 1982]

§ 90.655 Special licensing requirements for Specialized Mobile Radio systems.

End users of conventional or trunked Specialized Mobile Radio systems that have control stations that require FAA clearance, as specified in §§ 17.7 through 17.17 of this chapter, or that may have a significant environmental effect, as defined by § 1.1307, or that are located in a "quiet zone", as defined by § 1.924 of this chapter must be individually licensed for such control stations prior to construction or operation. All other end users' operations will be within the scope of the base station licensee. All end users, however, continue to be responsible to comply with 47 CFR part 90 and other federal laws.

[57 FR 40850, Sept. 8, 1992, as amended at 63 FR 68970, Dec. 14, 1998]

47 CFR Ch. I (10–1–04 Edition)

§ 90.656 Responsibilities of base station licensees of Specialized Mobile Radio systems.

(a) The licensees of base stations that provide Specialized Mobile Radio service on a commercial basis of the use of individuals, Federal government agencies, or persons eligible for licensing under either subparts B or C of this part will be responsible for exercising effective operational control over all mobile and control stations that communicate with the base station. The base station licensee will be responsible for assuring that its system is operated in compliance with all applicable rules and regulations.

(b) Customers that operate mobile units on a particular Specialized Mobile Radio system will be licensed to that system. A customer that operates temporarily on more than one system will be deemed, when communicating with the other system, to be temporarily licensed to the other system and for that temporary period, the licensee of the other system will assume the same licensee responsibility for the customer's mobile station(s) as if the customer's stations were licensed to that other system.

[57 FR 40851, Sept. 8, 1992, as amended at 62 FR 18935, Apr. 17, 1997]

§ 90.658 Loading data required for base station licensees of trunked Specialized Mobile Radio systems to acquire additional channels or to renew trunked systems licensed before June 1, 1993.

(a) A base station licensee of a trunked system applying for its first renewal in a waiting list area for a system licensed before June 1, 1993 must identify, using FCC Form 601, the number of mobiles and control stations loaded on its system as calculated in paragraph (b) of this section.

(b) The number described in paragraph (a) of this section must be calculated by averaging the number of mobiles and control stations operating on a licensee's system on the first business day of each of the six months immediately preceding the filing of an application and must be based on the licensee's business records for that period. Alternative calculations will be